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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/892,228	06/25/2001	Jeffrey H. Alger	5486-0169PUS1	3296
67321 7590 02/04/2008 BIRCH, STEWART, KOLASCH & BIRCH, LLP 8110 GATEHOUSE ROAD SUITE 100 EAST FALLS CHURCH, VA 22040-0747			EXAMINER CHEA, PHILIP J	
			ART UNIT 2153	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/892,228	Applicant(s) ALGER ET AL.	
	Examiner Philip J. Chea	Art Unit 2153	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 October 2007.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6-8, 10-14 and 25-45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 6-8, 10-14 and 25-45 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This Office Action is in response to an Amendment filed October 30, 2007. Claims 6-8,10-14,25-45 are currently pending, of which claims 34-45 are new. Any rejection not set forth below has been overcome by the current Amendment.

Claim Objections

1. Claims 35-48 are objected to because of the following informalities: As per claim 35, note line 9, "particular program content" is apparently "particular product content". Appropriate correction is required.

Any claim not specifically mentioned is objected to by virtue of being dependent on an objected claim.

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 6-8,10-14,25-29,34-45 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The disclosure provides evidence that each element of the claims may be reasonably interpreted by one of ordinary skill as software alone (i.e. software per se) (see Specification paragraph 28). Therefore, the claims fail to fall within a statutory category.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 6-8,10-14,25-29,34-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bezos et al. (US 6,029,141), herein referred to as Bezos further in view of Chang et al. (US 6,324,552), herein referred to as Chang.

As per claims 6,25, Bezos discloses a client portal for facilitating the purchase of a particular product, comprising:

a browser capable of retrieving content through sites that are related to providing the particular product (see column 6 line 59 – column 7, line 5, where sites are provided that are related to various products).

Although the system disclosed by Bezos shows substantial features of the claimed invention (discussed above), it fails to disclose that a user-selection cannot configure the client portal to add or modify controls of the client portal to access content through sites in the network that are not preselected sites and are not related to providing particular product, and the user-selection cannot add or modify the controls of the association of the preselected site, through a specific file header, resident at the client portal, and wherein at least one of the preselected sites lists sites that are available for preselection and based upon the user-selection of the preselected sites, the client portal will access related content and dynamically associate the related content to an application interface.

Nonetheless, these features are well known in the art and would have been an obvious modification of the system disclosed by Bezos, as evidenced by Chang.

In an analogous art, Chang discloses that a user cannot configure the client portal to add or modify controls of the client portal to access content through sites in the network that are not preselected sites and are not related, and the user-selection cannot add or modify the controls of the association of the preselected site, through a specific file header, resident at the client portal, and wherein at least one of the preselected sites lists sites that are available for preselection and based upon the user-selection of the preselected sites, the client portal will access related content and dynamically associate the related content to an application interface (see column 3, lines 40-51 and column 4, lines 36-41; where users cannot configure the browser to access sites not predetermined, and preselected sites are available to a

certain depth of the root page, where a teacher can set the depth limit to 0 in order to prevent the students from accessing any page other than their project pages or to a suitable depth where they know the hot links relate to the project and where the browser utilizes a specific file header with an encrypted code that will allow the browser to screen out arbitrary html pages and only pages with the appropriate encrypted code will be allowed by the browser as default.html pages and furthermore upon user selection of the preselected sites, the client portal will access related content and dynamically associate the related content to an application interface by entering a passcode that brings up the project associated with the passcode and dynamically associated related content in the form of creating content related to a project lesson (see column 4, lines 44-63)).

Given the teaching of Chang, a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Bezos by employing a restricted browser, such as disclosed by Chang, in order to provide visitors using the client portal with product pages associated with only supported sponsors or vendors.

As per claim 7, Bezos in view of Chang further disclose including a memory for storing the preselected sites (see Chang column 3, lines 25-31).

As per claim 8, Bezos in view of Chang further disclose at least one of the preselected sites list other preselected sites (see Bezos column 15, lines 28-36, and Fig. 9 = preselected sites and Fig. 10a = other preselected sites).

As per claim 10, Bezos in view of Chang further disclose a portal wherein the browser provides a header identifying characteristics of the browser (see Bezos column 8, lines 17-22). A cookie is considered the header that identifies the characteristics of the browser.

As per claim 11, Bezos in view of Chang further disclose a catalog of items for purchase, which are also from multiple content sources (see Bezos column 7, lines 6-11).

As per claim 12, Bezos in view of Chang further disclose the portal including a memory, and the catalog downloaded into the memory (see Bezos column 6, lines 59-67).

As per claim 13, Bezos in view of Chang further disclose that the catalog contains content from multiple content sources (see Bezos column 7, lines 6-11).

As per claim 14, Bezos in view of Chang further disclose identifying a user of the client portal; and the catalog contains a selection of items for purchase based upon a previous purchase history of the user (see Bezos column 9, lines 9-20, where user = Italian chef, and selection of items = favorite cookbooks). Also see 103 rejection below.

As per claim 26, Chang further discloses a second computer, coupled to the first computer via the network, the second computer configured to identify the plurality of preselected sites and transmit the first information identifying the preselected sites to the first computer (see column 3, lines 25-31, where the second computer is the Project Repository).

As per claim 27, Chang further discloses that the network is the Internet (see column 3, lines 4-8).

As per claim 28, Chang further discloses that the first computer is configured to send second information to the second computer identifying a user preference, and wherein the second computer is configured to choose the preselected sites based on the user preference (see column 4, lines 36-41).

As per claim 29, Chang further discloses that the first computer is configured to control a format of the preselected sites as displayed by the browser, thereby providing consistent formatting among the sites (see column 3, lines 58-67).

As per claim 34, Bezos in view of Chang further disclose a client portal for facilitating the purchase of a particular product (see Bezos column 6, line 59 – column 7, line 5), as claimed, comprising:

a browser capable of retrieving content only through preselected sites that are related to providing the particular product, such that a user-selection may only access through preselected sites, and a file header that indicates previous activity of the user-selection will not be accepted and stored at the client portal (see Chang column 3, lines 40-51 and column 4, lines 36-41, where the header can be used by the browser to screen out arbitrary html pages and only pages with the appropriate encrypted code will be allowed by the browser as default.html pages), and

wherein at least one of the preselected sites lists sites that are available for preselection and based upon the user-selection of the preselected sites, the client portal will access related content and dynamically associate the related content to an application interface (see column 4, lines 44-63).

As per claim 35, Bezos in view of Chang disclose a client portal for use with an address-independent client domain for facilitating the purchase of a particular product content, as claimed, comprising:

a browser capable of retrieving content only through preselected sites that are related to a particular product content of a supplier (see Bezos column 6 line 59 – column 7, line 5 and Chang column 3, lines 40-51 and column 4, lines 36-41, where it's obvious that the browser taught by Chang could be used to only provide links to products by a particular supplier);

a user-interface dedicated to supporting the client portal and optimized for delivery and operation of the particular product content by a user of an associated particular product (see Bezos Fig. 8, where the user-interface shows optimized delivery of a particular product such as a book);

a user-selection of at least one of the preselected sites, the preselected sites are provided by a selection process by a supplier of the particular product content (see Bezos column 6, lines 31-35); and

the client portal will access related particular product content and dynamically associated the related content to an application interface (see Chang column 4, lines 44-63, where it is obvious that when the passcode is entered, pages related to product content can be displayed instead of pages related to project content).

As per claim 36, Bezos further discloses the client portal being optimized and maintained only by the supplier of the particular product content (see column 6, lines 31-40).

As per claim 37, Bezos in view of Chang further disclose a limited-access browser wherein the supplier of the particular product content has exclusive rights to add or modify the preselected sites of the limited-access browser (see Chang column 3, lines 40-51 and column 4, lines 36-41, where it would be obvious to allow the associate described in Bezos above to modify the addresses of the preselected sites to direct the user to the preselected sites associated with the particular product).

As per claim 38, Chang further discloses a limited-access browser that is dynamically associated to the user-selection of at least one of the preselected sites and is activated without direct selection by the user (see column 3, lines 35-37, where it is obvious that the browser of column 3, lines 58-61 is activated when one of the project is invoked).

As per claim 39, Chang further discloses including a memory for storing the preselected sites (see column 3, lines 40-45).

As per claim 40, Bezos further discloses that at least one of the preselected sites lists other preselected sites (see column 15, lines 28-36, and Fig. 9 = preselected sites and Fig. 10a = other preselected sites).

As per claim 41, Bezos further discloses that when the browser requests content from a site, the browser provides a header identifying characteristics of the browser (see column 8, lines 17-22).

As per claim 42, Bezos further discloses that at least one of the preselected sites includes a catalog of items for purchase through the client portal (see column 7, lines 6-11).

As per claim 43, Bezos further discloses that the client portal further includes a memory, and the catalog is downloaded to the memory (see column 6, lines 59-67).

As per claim 44, Bezos further discloses that the catalog contains content from multiple content sources (see column 7, lines 6-11).

5. Claims 14,45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bezos in view of Chang and further in view of Shafer et al. ("Recommender Systems in E-Commerce" 1999).

As per claims 14,45, Bezos in view of Chang shows substantial features of the claimed invention (discussed above). In further support identifying a user of the client portal and having a catalog that contains a selection of items for purchase based upon a previous purchase history of the user are well known in the art and would have been an obvious modification of the system disclosed by Bezos in view of Chang, as evidenced by Shafer et al.

In an analogous art, Shafer et al. disclose an e-commerce system where there is a means of presenting catalog information based upon a previous purchase history of the user (page 158, column 2, second paragraph).

Given the teaching of Schafer et al., a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Bezos in view of Chang by employing a product recommendation based on a users previous purchase history, such as disclosed by Shafer et al., in order to help an e-commerce site adapt itself to each customer enabling individual personalization (Schafer et al., column 2, second paragraph).

6. Claims 30-33 are rejected under 35 U.S.C. 102(e) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Chang et al. (US 6,324,552), herein referred to as Chang.

As per claim 30, Chang discloses receiving, at a first computer, first information via a network identifying a plurality of preselected sites (see column 3, lines 40-51, where project URLs are preselected sites),

and limiting, by the browser of the first computer, user access to the preselected sites (see column 3, lines 40-51, where a depth parameter that allows users to view unlisted sites may be set to 0 in order to limit the user to only the URLs specified in the project files).

As per claim 31, Chang further discloses that the network is the Internet (see column 3, lines 4-8).

As per claim 32, Chang further discloses transmitting second information identifying a user preference, wherein the preselected sites are identified based on the user preference (see column 4, lines 36-41).

As per claim 33, Chang further discloses that the first computer is configured to control a format of the preselected sites as displayed by the browser, thereby providing consistent formatting among the sites (see column 3, lines 58-67).

Response to Arguments

7. Applicant's arguments filed October 30, 2007 have been fully considered but they are not persuasive.

A) Applicant contends that Bezos in view of Chang do not disclose a user-selection cannot add or modify the controls of the association of the pre-selected site, through a specific file header, resident at the client portal and based upon the user-selection of the pre-selected site, the client portal will access related content and dynamically associate the related content to an application interface.

In considering A), the Examiner respectfully disagrees. In column 3, lines 40-51 and column 4, lines 36-41 and column 4, lines 44-63, Chang discloses that a user cannot configure the browser to access sites not predetermined, and preselected sites are available to a certain depth of the root page, where a teacher can set the depth limit to 0 in order to prevent the students from accessing any page other than their project pages or to a suitable depth where they know the hot links relate to the project and where the browser utilizes a specific file header with an encrypted code (i.e. specific file header resident at the client portal) that will allow the browser to screen out arbitrary html pages and only pages with the appropriate encrypted code will be allowed by the browser as default.html pages and furthermore upon user selection of the preselected sites, the client portal will access related content and dynamically associate the related content to an application interface by entering a passcode that brings up the project associated with the passcode and dynamically associated related content in the form of creating content related to a project lesson (i.e. associate related content to an application interface).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip J. Chea whose telephone number is 571-272-3951. The examiner can normally be reached on M-F 6:30-4:00 (1st Friday Off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Burgess can be reached on 571-272-3949. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.


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Philip J Chea
Examiner
Art Unit 2153

PJC 1/28/08


THU HA NGUYEN
PRIMARY EXAMINER